IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Terry D. Beard

Serial No. 09/891,941

Filed: 6-25-01

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E PECENED PED PER SEP J 3 2001 Title: MULTICHANNEL SPECTRAL MAPPING AUDIO APPARATUS AND WITH

DYNAMICALLY VARYING MAPPING COEFFICIENTS

Assistant Commissioner for Patents Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

Sir:

Pursuant to 37 C.F.R.§§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached Form PTO-1449. This Information Disclosure Statement is being filed within three months of the filing of the above referenced application or before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration of relevant portions thereof by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art". If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231 on

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Docket No. PATENT

constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Respectfully submitted,

Dated: <u>9/4/01</u>

J

Richard S. Koppel Registration No. 26,475 Attorney for Applicant

KOPPEL & JACOBS 555 St. Charles Drive, Suite 107 Thousand Oaks, California 91360 (805) 373-0060 M/D2-115-21-099IDS-1.97(b).doc

| | | Sheet 1 of |
|---|-----------------------------|-------------------------------|
| BORN PTO-1449 (Modified) | Docket No. 115-21-099 | Application Number 09/891,941 |
| INFORMATION DISCLOSURE CITATION IN AN APPLICATION | Applicant Terry D. Beard | |
| SEP 0 6 2001 (several sheets if necessary) | Filing Date 6/25/01 | Group Art Unit |

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U.S. PATENT DOCUMENTS

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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| 2 | Waller, Jr., "The Circle of Surround® Audio Surround System", Rocktron Corporation White Paper, pages 1-7. |
| 3 | O'Shaughnessy, "Speech Communication - Human and Machine", Addison-Wesley Publishing Company, 1987, pages 148-153. |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Date Considered

Examiner